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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 SKY MILLER,

10 Plaintiff,

11 v.

12 RON VAN BOENING et al.,

13 Defendants.

CASE NO. C10-5712RBL/JRC

ORDER

14 This 42 U.S.C. §1983 civil rights matter has been referred to the undersigned Magistrate
15 Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and(B) and Local Magistrate Judge Rules MJR 1,
16 MJR 3, and MJR 4. Three motions are before the court that must be addressed before the court
17 can consider the pending motion for summary judgment. The three motions are: 1) a motion to
18 allow supplemental evidence; 2) a motion asking the Marshal's Office to serve defendant
19 Bartram and; 3) a motion asking that summary judgment be stayed until defendant Bartram is
20 served (ECF Nos. 28, 30, and 32).

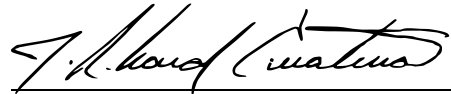
22 (1) Plaintiff has submitted medical records that he claims he could not obtain prior to
23 filing the motion for summary judgment. This evidence will be considered by the court.
24 Plaintiff's motion to allow supplemental evidence (ECF No. 28) is GRANTED.

25 (2) Plaintiff's motion asking that the Marshal's Office personally serve defendant
26 Bartram, (ECF No. 30), is DENIED. The court has attempted twice to serve defendant Bartram

1 by mail. The facility where he worked is closed. Plaintiff has not provided any other address
2 where defendant Bartram might be found. It is plaintiff's duty to provide the needed service
3 information.

4 (3) Because the court has denied the motion to serve defendant Bartram, the motion
5 to stay summary judgment until he is served, (ECF No. 32), is also DENIED.
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7 DATED this 20th day of June 2011.
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11 J. Richard Creatura
12 United States Magistrate Judge
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